IFW 1636/\$

PTO/SB/21 (06-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 09/646.807 Filing Date TRANSMITTAL December 5, 2000 First Named Inventor **FORM** Michael GRAHAM Art Unit 1636 (to be used for all correspondence after initial filing) **Examiner Name** D. Sullivan Attorney Docket Number 12 +Total Number of Pages in This Submission 546322000321 112 refs ENCLOSURES (Check all that apply) After Allowance Communication Fee Transmittal Form (in duplicate, Drawing(s) 2 pages) to Group Appeal Communication to Board of Fee Attached Licensing-related Papers Appeals and Interferences Appeal Communication to Group (1 Amendment/Reply Petition (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final **Proprietary Information** Provisional Application Power of Attorney, Revocation Affidavits/declaration Status Letter Change of Correspondence Address Other Enclosure(s) (please Extension of Time Request (1 page) Terminal Disclaimer identify below): PTO Form 1449 - 6 pgs. **Express Abandonment Request** Request for Refund 112 references Information Disclosure Statement 3 CD, Number of CD(s) Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm MORRISON & FOERSTER LLP (Customer No. 20872) Michael R. Ward - 38,651 Individual name Signature Date I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P. Box 1450; Alexandria, VA 22313-1450; on the date shown below

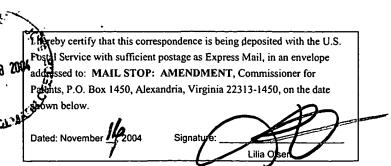
Dated: November (Lilia Olsen) Signature

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CCC TO A NOMITTAL	1	Complete if Known			
FEE TRANSMITTAI	_	Application Number	09/646,807		
for FY 2004		Filing Date	December 5, 2000		
		First Named Inventor	Michael W. GRAHAM D. Sullivan		
Effective 10/01/2003, Patent fees are subject to annual revision.	·	Examiner Name			
Applicant claims small entity status. See 37 CFR 1.27	7	Art Unit	1636		
TAL AMOUNT OF PAYMENT (\$) 180.00		Attorney Docket No.	546322000321		
METHOD OF PAYMENT (check all that apply)		FEE CALC	CULATION (continued)		
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1. BASIC	FILING	FEE				1252	420	2252	210	Extension for reply within second month	
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1001 770		385	Utility filing fe	эе		1255	2,010	2255	1,005	Extension for reply within fifth month	
1002 340	2002	170	Design filing	fee		1401	330	2401	165	Notice of Appeal	
1003 530	2003	265	Plant filing fe	e _		1402	330	2402	165	Filing a brief in support of an appeal	
1004 770	2004	385	Reissue filing	g fee		1403	290	2403	145	Request for oral hearing	
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Fee Fee Code (\$)		Fee (\$)	-	escription		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1202 18	2202		Claims in excess of			1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1201 86	2201		Independent claim			1810	770	2810	385	For each additional invention to be	
1203 290	1		Multiple dependen		•	1				examined (37CFR 1.129(b))	
1204 86	2204	43	** Reissue indeper over original par		i	1801	770	2801	385	Request for Continued Examination (RCE) Request for expedited examination	
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SUBMITTED BY			(Complete	(if applicable))
Name (Print/Type)	Michael R. Ward	Registration No. (Attorney/Agent) 38,651	Telephone	(415) 268-6237
Signature	Michael	Poline	Date	November <u>/6</u> , 2004



PATENT Docket No.: 546322000321

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Michael Wayne GRAHAM and Robert Norman RICE

Serial No.:

US 09/646,807

Filing Date:

December 5, 2000

For:

CONTROL OF GENE EXPRESSION

Examiner: D. Sullivan

Group Art Unit: 1636

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

MAIL STOP: AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of foreign documents and non-patent literature are submitted herewith.

The Examiner is requested to make these documents of record.

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	This Su	pplemental Information Disclosure Statement is submitted:
	With	the application; accordingly, no fee or separate requirements are required.
	Befor	e the mailing of a first Office Action after the filing of a Request for Continued
	Exam	ination under § 1.114. However, if applicable, a certification under 37 C.F.R. §
	1.97(e)(1) has been provided.
	Withi	n three months of the application filing date or before mailing of a first Office
	Actio	n on the merits; accordingly, no fee or separate requirements are required.
	Howe	ever, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
\boxtimes	After	receipt of a first Office Action on the merits but before mailing of a final
	Offic	e Action or Notice of Allowance.
		A fee is required. A check in the amount of is enclosed.
	\boxtimes	A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is
		attached to this submission in duplicate.
		A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee
		is believed to be due.
	After	mailing of a final Office Action or Notice of Allowance, but before payment of the
	issue	fee.
		A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the
		amount of is enclosed.
		A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal
		form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does

not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 546322000321. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: Nov

November 6, 2004

Respectfully submitted,

Bv:

Michael R. Ward

Registration No. 38,651

Morrison & Foerster LLP 425 Market Street

San Francisco, California 94105-2482

Telephone: (415) 268-6237 Facsimile: (415) 268-7522

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	Form PTO-1449	Docket Number 546322000321	Application Number 09/646,807	
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U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	03/02/1993	US 5,190,931	Inouye			
	2.	05/04/1993	US 5,208,149	Inouye			
	3.	12/21/1993	US 5,272,065	Inouye et al.			
	4.	09/04/2003	US 2003/0165894 A1	Waterhouse et al.			

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Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES N	
	5.	02/01/2001	AU 729454	Australia				
	6.	06/14/1995	EP 0465572B1	EP				
	7.	11/12/1992	WO 92/19732	WO				
	8.	01/20/1994	WO 94/01550	wo				
	9.	08/31/1995	WO 95/23225	wo				
	10.	11/27/1997	WO 97/44460	wo				
	11.	11/26/1998	WO 98/53083	WO				
	12.	09/30/1999	WO 99/49029A1	WO				
	13.	12/02/1999	WO 99/61631	WO				
	14.	08/03/2000	WO 00/44895	WO				
	15.	08/03/2000	WO 00/44914	WO				
	16.	09/27/2001	WO 01/70949	WO				
	17.	03/20/2003	WO 03/022052	WO				
	18.	04/03/2003	WO 03/027298	wo				
	19.	07/10/2003	WO 03/056012	WO .				

EXAMINER:	DATE CONSIDERED:	

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449	Docket Number 546322000321	Application Number 09/646,807	
INFORMATION DISCLOSURE CITATION ON AN APPLICATION	Applicant Michael Wayne GRAHAM and Robert Norman RICE		
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(including author, title, Date, Pertinent Pages, Etc.)

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	20.	Agrawal et al. (2003) "RNA Interference: Biology, Mechanism, and Applications" Microb. Mol. Bio Rev. 67:657-685.					
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DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTC	Form PTO-1449		Docket Number 546322000321	Application Number 09/646,807				
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Form PTO-1449		Docket Number 546322000321	Application Number 09/646,807			
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ENFORMATION DISCLOSURE CITATION		Applicant	
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(Use several sheets if necessary)

Docket Number 546322000321 Application Number 09/646,807
Applicant

Michael Wayne GRAHAM and Robert Norman RICE

Filing Date December 5, 2000 Group Art Unit 1636

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